

Amendment

Application Filed: January 2, 2007

Serial No: 10/595,752

**REMARKS**

Previous to the office action mailed on August 10, 2010, the patent application had 17 claims. Claims 2 and 12 have been cancelled. Claims 1 and 19 are in independent form.

Claims 13, 19 and 20 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 13 and 19 have been amended to remove the limitations that were deemed to be indefinite by the Examiner. Therefore, Applicant respectfully traverses this rejection. Claim 1 stands rejected under 35 U.S.C. §102(b) as being anticipated by United States Patent 4,911,203 (the Garms reference). Applicant respectfully traverses this rejection.

The Garms reference discloses a fuel line connector having a ball 42 which is spring loaded via spring 46. The ball 42 is a sealing device for a tank access opening.

Claim 1, as amended to clarify the invention, claims a sealing device comprising a tank access opening including a guide way and a ball. The ball is displaceably supported inside the guideway of the tank access opening in such a way that upon insertion of a fuel nozzle into the guideway, the ball opens the tank access opening. The guideway is aligned at an acute angle ( $\alpha$ ) to the direction of insertion of the fuel nozzle.

While the Garms reference discloses a valve assembly or sealing device that has a ball 42 which seals off a tank access opening, the ball is not disposed within a guide way that is aligned at an acute angle to the direction of the insertion of a fuel nozzle.

In contradistinction, as amended to clarify the invention, specifically claims the guideway is aligned at an acute angle with respect to the insertion of the fuel nozzle.

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With respect to German Patent publication number DE 203 09 799 (U1), a ball moves at angle with respect to the insertion of the fuel nozzle. The ball does not, however, move through a guideway that is defined as being at an acute angle with respect to the direction of the insertion of the fuel nozzle. Therefore, claim 1, and all claims depending therefrom, overcome the rejection under 35 U.S.C. §102(b) and are in condition for allowance.

It is respectfully submitted that this patent application is in condition for allowance, which allowance is respectfully solicited. If the Examiner has any questions regarding this amendment or patent application, the Examiner is invited to contact the undersigned.

The Commissioner is hereby authorized to charge any additional fee associated with this Communication to Deposit Account No. 50-0852.

Respectfully submitted,

/david j simonelli/

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